

Chapter 18.130***General Permit Provisions*****18.130.010 Purpose and Intent**

This Article establishes the overall structure for the application, review and action on discretionary permits. Further, it identifies and describes the permits regulated by this Title and requires compliance with all applicable laws and regulations.

18.130.020 Maps, Permits and Actions Covered by This Title**A. Definition.**

Discretionary permits or actions apply to projects which require the exercise of judgment or deliberation when the Approving or Appeal Authority decides to approve or disapprove a particular map, permit or action, as distinguished from situations where a City Department, Planning Commission or City Council merely has to determine whether there has been conformity with applicable statutes, Codes or regulations.

B. Discretionary Administrative Maps, Permits and Actions not Requiring a Public Hearing.

The Zoning Administrator, acting as the advisory agency, has primary administrative approving authority over maps, permits and actions which require the determination of compliance with applicable subdivision provisions and the application of judgment to a given set of facts. No public hearing is required for administrative maps, permits and actions unless the decision is appealed in accordance with provisions of Chapter 18.170 Appeals. Table 18.140.040 Approving and Appeal Authority describes the various administrative permits which can be approved by the Zoning Administrator.

C. Discretionary Maps, Permits and Actions Requiring a Public Hearing.

Except when combined with legislative actions (see 18.140.030 Concurrent Processing of Permits), the Planning Commission is the designated Approving Authority for discretionary maps, permits and actions. The table in 18.140.040 describes the various discretionary maps, permits and actions which can be approved by the Planning Commission.

18.130.030 Burden of Proof and Precedence**A. Burden of Proof**

The burden of proof to establish the evidence in support of the required finding(s) for any map, permit or action in accordance with this Article is the responsibility of the applicant.

B. Precedence

Each map, permit or action shall be evaluated on a case-specific basis. Therefore, granting of a prior map, permit or action does not create a precedent and is not justification for the granting of a new map, permit or action.